

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 020431.0771

In re Application of:

RANJIT N. NOTANI, ET AL.

Serial No. 09/841,320

Filed: **23 APRIL 2001**

For: **EXTREME CAPACITY MANAGEMENT
IN AN ELECTRONIC MARKETPLACE
ENVIRONMENT**

Spiral notebook

Examiner:

PIERRE E. ELISCA

Art Unit: **3621**

Patent No: 7,370,009 B1

Issued: **6 MAY 2008**

REQUEST FOR CORRECTION OF ISSUED PATENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir/Madam:

This Request for Correction of Issued Patent is filed to correct a typographical error in the above-referenced United States Patent. Certificate of Correction Form PTO/SB/44 is being filed electronically herewith.

Please consider the following remarks, and issue a corrected patent with the corrected typographical error.

IN THE CLAIMS:

I. Please replace Claim 10, with the following:

10. A computer-implemented electronic marketplace, using one or more computer systems at one or more locations, for resolving excess or under capacity at one or more enterprises in a supply chain, comprising:

at least one of the one or more computer systems comprising:

a supply chain planning application, the supply chain planning engine receives status data for a plurality of enterprises in the supply chain, the status data reflecting excess or under capacity at a first enterprise in the supply chain, accesses a supply chain model incorporating at least the plurality of enterprises in the supply chain, and generates a supply chain plan according to the status data for at least the plurality of enterprises in the supply chain; and

a manager application, the manager application receives the generated supply chain plan, automatically initiates at least one service according to the generated supply chain plan, and automatically performs an action, in response to initiating the at least one service, to resolve at least a portion of the excess or under capacity at the first enterprise through interaction with one or more other entities in the supply chain, the services being selected from among a plurality of available services based on a monetary value to the first entity of a resolution expected to be available using the selected service relative to other services, the action being selected from the group consisting of:

sell items to one or more other entities according to a previously existing contract between the first enterprise and the one or more other entity;

purchase items from one or more other entities according to the previously existing contract between the first enterprise and the one or more other entity;

sell items to one or more other entities in an auction;

purchase items from one or more other entities in a reverse auction;

post items in a catalog of the first enterprise for sale to one or more other

entities;

purchase items posted in a catalog of one or more other entities;

post items in an inventory listing service for sale to one or more other
entities; and

purchase items posted in an inventory listing service by one or more other entities.

REMARKS:

The above-referenced United States Patent was issued with a typographical error in Claim 10. Patentees and Assignee respectfully submit that an amendment to the claims was filed on 27 September 2007, in the response to Office Action of 10 August 2007. In particular, the Claim 27, now Claim 10, was amended as follows:

27. A computer-implemented electronic marketplace, using one or more computer systems at one or more locations, for resolving excess or under capacity at one or more enterprises in a supply chain, comprising:

at least one of the one or more computer systems comprising:

a supply chain planning application, the supply chain planning engine receives status data for a plurality of enterprises in the supply chain, the status data reflecting excess or under capacity at a first enterprise in the supply chain, accesses a supply chain model incorporating at least the plurality of enterprises in the supply chain, and generates a supply chain plan according to the status data for at least the plurality of enterprises in the supply chain; and

a manager application, the manager application receives the generated supply chain plan, automatically initiates at least one service according to the generated supply chain plan, and automatically performs an action, in response to initiating the at least one service, to resolve at least a portion of the excess or under capacity at the first enterprise through interaction with one or more other entities in the supply chain, the services being selected from among a plurality of available services based on a monetary value to the first entity of a resolution expected to be available using the selected service relative to other services, the action being selected from the group consisting of:

sell items to one or more other entities according to a previously existing contract between the first enterprise and the one or more other entity;

purchase items from one or more other entities according to ~~the~~ previously existing contract between the first enterprise and the one or more other entity;

sell items to one or more other entities in an auction;
purchase items from one or more other entities in a reverse auction;

post items in a catalog of the first enterprise for sale to one or more other entities;

purchase items posted in a catalog of one or more other entities;

post items in an inventory listing service for sale to one or more other entities; and

purchase items posted in an inventory listing service by one or more other entities.

However, the above-referenced issued patent did not cancel “[[a]]” and replace it with “the”, but instead, added “the” after “a”. (Emphasis added).

Patentees and Assignee respectfully submit that the mistake of publishing the above-referenced issued patent with a typographical error in Claim 10 was made on the part of the Office. Patentees and Assignee further submit that a Certificate of Correction would be an inappropriate form of correction.

Therefore, pursuant to 37 C.F.R § 1.322(b), Patentees and Assignee respectfully request that the Commissioner issue a corrected patent with the corrected typographical error in Claim 10. If the Commissioner deems that a corrected patent is an inappropriate form of correction, then Patentees and Assignee respectfully request that the Commissioner issue a Certificate of Correction to substitute the typographical error in Claim 10.

A Certificate of Correction, Form PTO/SB/44 is electronically submitted herewith.

CONCLUSION:

In view of the foregoing remarks, Patentees and Assignee respectfully request the Commissioner to issue a corrected patent with the corrected typographical error in Claim 10.

No fees are deemed to be necessary; however, the undersigned hereby authorizes the Commissioner to charge any additional fees, or credit any overpayments, to **Deposit Account No. 500777**.

Please link this application to Customer No. 53184 so that its status may be checked via the PAIR System.

Respectfully submitted,

22 May 2008
Date

/Steven J. Laureanti/signed
Steven J. Laureanti, Registration No. 50,274

BOOTH UDALL, PLC
1155 W. Rio Salado Pkwy., Ste. 101
Tempe AZ, 85281
214.636.0799 (mobile)
480.830.2700 (office)
480.830.2717 (fax)
steven@boothudall.com

CUSTOMER NO. 53184

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

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PATENT NO. : 7,370,009 B1

APPLICATION NO.: 09/841,320

ISSUE DATE : 6 MAY 2008

INVENTOR(S) : Ranjit N. Notani, Vinatha Chaturvedi, Vinayak S. Ghaisas, Harsha Chaturvedi

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Please replace Claim 10, with the following:

10. A computer-implemented electronic marketplace, using one or more computer systems at one or more locations, for resolving excess or under capacity at one or more enterprises in a supply chain, comprising: at least one of the one or more computer systems comprising:

a supply chain planning application, the supply chain planning engine receives status data for a plurality of enterprises in the supply chain, the status data reflecting excess or under capacity at a first enterprise in the supply chain, accesses a supply chain model incorporating at least the plurality of enterprises in the supply chain, and generates a supply chain plan according to the status data for at least the plurality of enterprises in the supply chain; and

a manager application, the manager application receives the generated supply chain plan, automatically initiates at least one service according to the generated supply chain plan, and automatically performs an action, in response to initiating the at least one service, to resolve at least a portion of the excess or under capacity at the first enterprise through interaction with one or more other entities in the supply chain, the services being selected from among a plurality of available services based on a monetary value to the first entity of a resolution expected to be available using the selected service relative to other services, the action being selected from the group consisting of:

sell items to one or more other entities according to a previously existing contract between the first enterprise and the one or more other entity;

purchase items from one or more other entities according to the previously existing contract between the first enterprise and the one or more other entity;

sell items to one or more other entities in an auction;

purchase items from one or more other entities in a reverse auction;

post items in a catalog of the first enterprise for sale to one or more other entities;

purchase items posted in a catalog of one or more other entities;

post items in an inventory listing service for sale to one or more other entities; and

purchase items posted in an inventory listing service by one or more other entities.

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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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